



02/15/02

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PTO/SB/05 (03-01)

Approved for use through 10/31/2002, OMB 0651-0032

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# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 05213-3000 (43170-269288)

Inventors ROBERT J. D'AMATO and MOSES J. FOLKMAN

Title ANTIANGIOGENIC AGENTS AND METHODS FOR TREATMENT OF NEOVASCULARIZATION AND RELATED CONDITIONS

Express Mail Label No. EL910742038US

10/07/142 PTO

02/15/02

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents

1.  Fee Transmittal Form (e.g., PTO/SB/17)  
*(Submit an original and a duplicate for fee processing)*

2.  Applicant claims small entity status.  
See 37 CFR 1.27.

3.  Specification [Total Pages 48]  
*(preferred arrangement set forth below)*  
 - Descriptive title of the Invention  
 - Cross Reference to Related Applications  
 - Statement Regarding Fed sponsored R & D  
 - Reference to sequence listing, a table, or a computer program listing appendix  
 - Background of the Invention  
 - Brief Summary of the Invention  
 - Brief Description of the Drawings (*if filed*)  
 - Detailed Description  
 - Claim(s)  
 - Abstract of the Disclosure

4.  Drawing(s) (35 U.S.C. 113) [Total Sheets 3]

5. Oath or Declaration [Total Pages 1]  
 a.  Newly executed (original or copy)  
 b.  Copy from a prior application (37 CFR 1.63 (d))  
*(for a continuation/divisional with Box 18 completed)*  
 i.  **DELETION OF INVENTOR(S)**  
 Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

6.  Application Data Sheet. See 37 CFR 1.76

**ADDRESS  
TO:**Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7.  CD-ROM or CD-R in duplicate, large table or Computer Program (*Appendix*)

8. Nucleotide and/or Amino Acid Sequence Submission (*if applicable, all necessary*)  
 a.  Computer Readable Form (CRF)  
 b. Specification Sequence Listing on:  
 i.  CD-ROM or CD-R (2 copies); or  
 ii.  paper  
 c.  Statements verifying identity of above copies

**ACCOMPANYING APPLICATIONS PARTS**

9.  Assignment:  
 a.  Assignment Papers (cover sheet & document(s))  
 b.  Assignment is of record in parent application No. 09/243,258

10.  37 C.F.R. §3.73(b) Statement  Power of Attorney (*when there is an assignee*)

11.  English Translation Document (*if applicable*)

12.  Information Disclosure Statement (IDS)/PTO-1449  Copies of IDS Citations

13.  Preliminary Amendment

14.  Return Receipt Postcard (MPEP 503) (*Should be specifically itemized*)

15.  Certified Copy of Priority Document(s) (*if foreign priority is claimed*)

16.  Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.

17.  Other: Petition To Make Special For Invention Relating To Cancer (37 C.F.R. § 1.102 And M.P.E.P. §708.02(x)); Statement In Support Of Petition To Make Special For Invention Relating To Cancer (M.P.E.P. § 708.02); Revocation and New Power of Attorney

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

 Continuation     Divisional     Continuation-in-part (CIP)

of prior application No. 09/243,258 / 2/2/99

Group / Art Unit: 1621

Prior application information: Examiner R. Keys

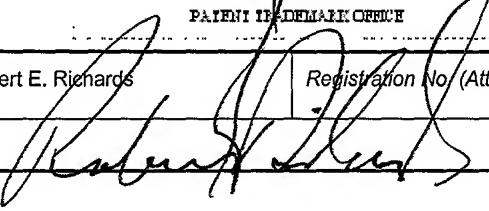
Recite complete dependency back to first parent application. This application is a continuation of U.S. Application Serial No. 09/243,158 filed February 2, 1999, which is a divisional of U.S. Application Serial No. 08/838,699 filed April 25, 1997, now U.S. Patent No. 5,892,069, which is a divisional of U.S. Application Serial No. 08,571,265 filed December 12, 1995, now U.S. Patent No. 5,661,143, which is a continuation of Application Serial No. 08/102,767, filed August 6, 1993, now U.S. Patent No. 5,504,074; this application is also a continuation of 09/780,650, filed 2/12/01, which is a continuation of 09/436,610, filed 11/9/99, abandoned, which is also a continuation of 09/243,158.

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**17. CORRESPONDENCE ADDRESS** Customer Number or Bar Code Label

23370

PATENT AND TRADEMARK OFFICE

Name (Print/Type)	Robert E. Richards	Registration No. (Attorney/Agent)	29,105
Signature		Date	February 15, 2002

**FEE TRANSMITTAL**

Attorney Docket No. 05213-3000 (43170-269288)

This sheet accompanies a patent application transmittal for the following application:

Inventor(s): **D'AMATO ET AL.**Filing Date: **February 15, 2002**Title: **ANTIANGIOGENIC AGENTS AND METHODS FOR TREATMENT OF  
NEOVASCULARIZATION AND RELATED CONDITIONS**

The filing fee is calculated as shown below:

**1. FILING FEE:**

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEE	FEES PAID	FEE	FEES PAID
<input checked="" type="checkbox"/> UTILITY FILING FEE	\$370		\$740	740
<input type="checkbox"/> DESIGN FILING FEE	\$165		\$330	
<input type="checkbox"/> PLANT FILING FEE	\$255		\$510	
<input type="checkbox"/> REISSUE FILING FEE	\$370		\$740	
<input type="checkbox"/> PROVISIONAL FILING FEE	\$80		\$160	
	SUBTOTAL (1)	\$		\$740

**2. CLAIMS:**

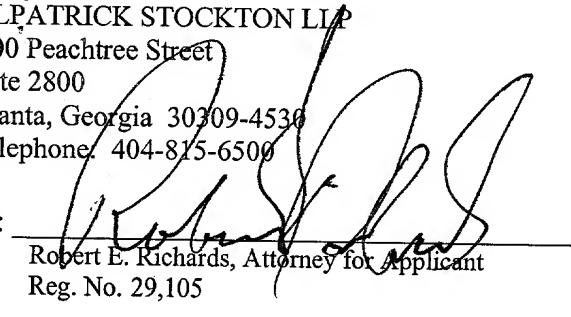
# FOR:	SMALL ENTITY		LARGE ENTITY	
	NO. FILED	NO. EXTRA	RATE	FEES
TOTAL CLAIMS	6 - 20 =	0	x 9 =	x 18 = 0
INDEP. CLAIMS	2 - 3 =	0	x 42 =	x 84 = 0
<input type="checkbox"/> MULTIPLE DEPENDENT CLAIM PRESENTED		+140 =		+280 =
	SUBTOTAL (2)	\$		\$0

**3. ADDITIONAL FEES:**

FOR:	SMALL ENTITY		LARGE ENTITY	
	FEE	FEES PAID	FEE	FEES PAID
<input type="checkbox"/> LATE FILING, FEE OR OATH	\$65		\$130	
<input type="checkbox"/> NON-ENGLISH SPECIFICATION	\$130		\$130	
<input type="checkbox"/> OTHER				
	SUBTOTAL (3)	\$		\$0

**TOTAL FILING FEES: \$740**A check is enclosed for the total amount: **\$740** Charge any additional fees required under 37 C.F.R. 1.16 or 1.17 to Deposit Account 11-0855.

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4536  
Telephone: 404-815-6500

By: Robert E. Richards, Attorney for Applicant  
Reg. No. 29,105Date: 2-15-02

## PATENTS

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
D'AMATO, *et al.* )  
Serial No.: To Be Assigned )  
Filed: February 15, 2002 )  
For: ANTIANGIOGENIC AGENTS AND )  
METHODS FOR TREATMENT OF )  
NEOVASCULARIZATION AND )  
RELATED CONDITIONS )

**PETITION TO MAKE SPECIAL FOR INVENTION RELATING TO CANCER**  
**(37 C.F.R. § 1.102 AND M.P.E.P. §708.02(X))**

Assistant Commissioner for Patents  
Washington, DC 20231  
Sir:

Applicant hereby petitions to make this application special because the invention disclosed therein relates to the treatment of cancer.

Enclosed with this Petition are:

- i) A Statement by Attorney in Support of Petition to make Special Because of Invention Relating to Cancer, and
- ii) a check in the amount of \$130 for the fee required by 37 C.F.R. 1.17(h).

Please charge any additional fee required for this PETITION TO MAKE SPECIAL, or credit any refund thereof, to Deposit Account No. 11-0855. A duplicate copy of this paper is attached.

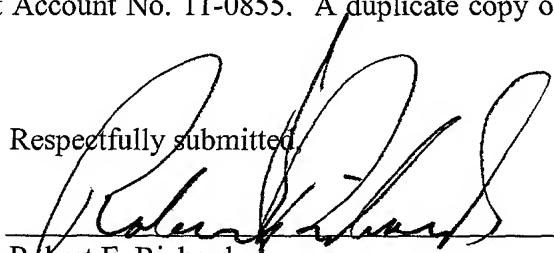
02/25/2002 HLE333 0000001 10077142

02

FC:122

130.00 DP

Respectfully submitted,

  
Robert E. Richards  
Reg. No. 29,105

KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 815-6500  
Attorney Docket: 05213-3000 (43170-269288)

EXPRESS MAIL NO. EL910742038US  
DATE OF DEPOSIT: FEBRUARY 15, 2002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
D'AMATO, et al. )  
Serial No.: To Be Assigned )  
Filed: February 15, 2002 )  
For: ANTIANGIOGENIC AGENTS AND )  
METHODS FOR TREATMENT OF )  
NEOVASCULARIZATION AND )  
RELATED CONDITION )

**STATEMENT IN SUPPORT OF PETITION TO MAKE SPECIAL BECAUSE OF  
INVENTION RELATING TO CANCER (37 CFR § 1.102 AND M.P.E.P. § 708.02(X))**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

I, Robert E. Richards, am the attorney for the applicants in the above-identified application, and I hereby state the following:

1. The invention disclosed in the above-identified application is directed to compositions and methods which are useful in the treatment of cancer, as specified in M.P.E.P. § 708.02(X).

2. The cancer-treating compositions and methods in this application are disclosed to function by, among other ways, inhibiting angiogenesis or the unwanted growth of blood vessels, especially in tumors. Angiogenesis has also been associated with a number of different types of cancer, including solid tumors and blood-borne tumors.

EXPRESS MAIL NO. EL910742038US  
DATE OF DEPOSIT: FEBRUARY 15, 2002

ATLLIB02 71628.1

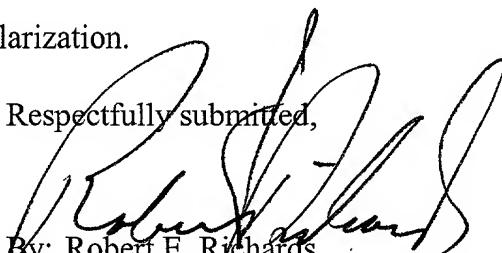
3. Unregulated angiogenesis occurs in many other diverse pathological disease states, which have been grouped together as angiogenic-dependent or angiogenic-associated diseases.

4. This application also claims the treatment of a disease mediated by angiogenesis, namely, ocular neovascular disease. This disease is characterized by invasion of new blood vessels into the structures of the eye, such as the retina or cornea.

5. The present application further discloses that the compositions and methods in this application that inhibit angiogenesis, are therefore useful for treating any of the angiogenic-dependent or angiogenic-associated diseases, including cancer and neovascularization, including ocular neovascularization.

Respectfully submitted,

By: Robert E. Richards  
Reg. No. 29,105



KILPATRICK STOCKTON LLP  
1100 Peachtree Street  
Suite 2800  
Atlanta, Georgia 30309-4530  
(404) 745-2408  
Our Docket: 05213-3000 (43170-269288)